UNITED STATES DISTRICT COURT EASTERN DISTRICT OF TENNESSEE AT CHATTANOOGA

UNITED STATES OF AMERICA,)	
)	
v.)	No. 1:18-cr-045-TRM-SKL-1
)	
CHE'ANTHONY CANNON)	

MEMORANDUM AND ORDER

CHE'ANTHONY CANNON, ("Defendant") appeared for a hearing on May 16, 2023, in accordance with Rules 5 and 32.1 of the Federal Rules of Criminal Procedure on the Petition for Warrant for an Offender Under Supervision ("Petition") in the above matter.

Defendant was placed under oath and informed of his constitutional rights. At the May 16 hearing, it was determined that Defendant wished to be represented by an attorney and that he qualified for appointed counsel. Federal Defender Services of Eastern Tennessee was appointed to represent Defendant. It was also determined that Defendant had been provided with and reviewed with counsel a copy of the Petition. The Government moved that Defendant be detained without bail pending resolution of his pending Petition. Defendant waived his right to a preliminary hearing but requested a detention hearing and time to prepare for said hearing, which was scheduled to take place on May 18, 2023. Defendant was temporarily detained until his detention hearing [Doc. 37].

Detention Hearing

At the May 18 detention hearing, after being sworn in due form of law and informed or reminded of his privilege against self-incrimination, Defendant testified on his own behalf and was cross-examined by the Government. Both parties presented their respective proffers and arguments, which were fully considered by the Court.

Findings

- (1) Based upon the Petition and waiver of preliminary hearing, the Court finds there is probable cause to believe Defendant has committed violations of his condition of supervised release as alleged in the Petition.
- (2) For the reasons addressed during the extensive detention hearing and incorporated herein, pursuant to Fed. R. Crim. P. 32.1(a)(6), the Court finds Defendant has not carried his burden to establish by clear and convincing evidence that he will not flee or not pose a danger to any other person or to the community if released.

Accordingly, it is **ORDERED** that:

- (1) Counsel for Defendant and the Government shall confer and make best efforts to submit to U.S. District Judge McDonough a proposed Agreed Order with respect to an appropriate disposition of the Petition for Warrant for Offender Under Supervision.
- (2) In the event counsel are unable to reach agreement with respect to an appropriate disposition of the Petition for Warrant for Offender Under Supervision, they shall request a hearing before U.S. District Judge McDonough.
- (3) The Government's motion that Defendant be **DETAINED WITHOUT BAIL** pending further order from this Court is **GRANTED**.

SO ORDERED.

ENTER. s/ Susan K. Lee

SUSAN K. LEE UNITED STATES MAGISTRATE JUDGE